

SAND 3.0-003/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of  
Sanders, Ira

Group Art Unit: 1645  
Examiner Duffy, PD

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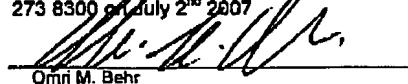
Serial No. 10/535 504  
Filed: 05/18/2005

For: Treatment of mammalian  
physiological reaction of IgE antibodies  
present in said mammal on contact  
with the corresponding antigen

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Omri M. Behr  
(Signature)  
(Date) July 2, 2007

Response to restriction requirement

Sir,

This is in response to the Official Action dated May 8<sup>th</sup> 2007, now due by virtue of a petition for extension of time of one month on July 9<sup>th</sup> 2007, the fee therefore being authorized herewith.

Applicant respectfully traverses the restriction requirement. Neither of the references cited appear to mention IgE. Applicant is a named inventor/coauthor in both documents and is hardly likely to lay claim to subject matter he published over a decade ago.

Nevertheless in compliance with the rule Applicant elects Group I namely claims 1-20.

Applicant further traverses the designation of non unity of invention. While the sources of the neurotoxins are different species and the physiological reactions are technically differentiable, they are linked by the common concept relating to IgE.

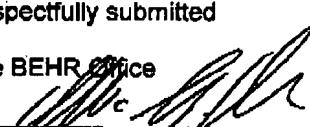
Nevertheless in compliance with the rule Applicant elects C.botulinum (claims 3 and 4) as representative of Species A, and allergic dermatitis (Claims 15 and 22) as representative of Species B.

Thus the members of Species A and B are not to be considered patentably distinct in the circumstance of the present application.

Withdrawal of the restriction and election requirements is respectfully solicited and the present claims promptly passed to issue.

Respectfully submitted

The BEHR Office

By 

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